

FILED  
ORIGINAL  
June 10 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court No. DA 10-0175

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PENNY ANN NICHOLS,

Petitioner and Appellant,

And

THE DEPARTMENT OF JUSTICE,  
DRIVERS LICENSE BUREAU,

Respondent and Appellee.

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MOTION FOR EXTENSION OF TIME

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The Appellant, Penny Ann Nichols, requests an extension of time until July 19, 2010, in which to prepare, serve, and file its opening brief in the above-entitled matter. The brief is presently due on June 18, 2010, and this is the Appellant's first extension request.


This motion is made due to the heavy workload under which the attorney assigned to this case is presently working, making it impossible to properly research, consider, and brief the issues within the time allotted.

Mark Mattioli, Esq., Counsel for Appellee, has been contacted and states no

objection.

Respectfully submitted this 9<sup>th</sup> day of June, 2010.

TIPP & BULEY, P.C.  
2200 Brooks St. - P.O. Box 3778  
Missoula, MT 59806

By:   
Brett D. Schandelson  
Attorney for Appellant

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing *Motion For Extension of Time* to be deposited in the mail and sent by the united states postal service to the party listed below on June 9, 2010.

Mark Mattioli  
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